



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MASCOMA VALLEY REGIONAL EDUCATION
ASSOCIATION, NEA-NH

Complainant

v.

MASCOMA VALLEY REGIONAL SCHOOL BOARD
and WAYNE KRAMER In His Capacity as
CHAIRPERSON

Respondent

CASE NO.T-0290:13

DECISION NO. 86-47

APPEARANCES

Representing the Mascoma Valley Regional Education Association:

John Fessenden, NEA-NH UniServ Director, Region V

Representing the Mascoma Valley Regional School Board and Wayne Kramer:

Wayne Kramer, Chairperson
Paul Rice, Assistant Superintendent

Also in Attendance:

Franklin Gould, MVREA
John Davenport, MVREA
Nancy Sanborn, MVREA
Elaine Ouellet-Planchet, N. H. Sunset Committee

BACKGROUND

The Mascoma Valley Regional Education Association, NEA-NH (Association) filed unfair labor practice charges against the Mascoma Valley Regional School Board and Wayne Kramer in his capacity as chairperson (Board) for allegedly making erroneous and misleading statements to the Valley News, a daily newspaper published in West Lebanon, N. H., on January 23 and 24th; information in response to a request made by the Association in closed negotiations and which they alleged were totally inaccurate and made in an obvious attempt to force public opinion against the Association.

The Board emphatically denied the accusation and stated that the ground rules were specific as to public announcement; i.e., "No public announcement of any kind will be made by the negotiating teams unless mutually agreed upon by each team or impasse is declared."; that the Association notified the Board on December 14 and 17, 1985 of impasse; rejected the Board's request to waive mediation and notified PELRB on January 15, 1986 that the parties were at impasse and requested the appointment of a mediator.

A hearing was held in the PELRB office on May 8, 1986 with all parties represented.

FINDINGS OF FACT

Impasse was declared by the Association on January 5, 1985 and a request for the appointment of a mediator filed with PELRB as evidenced by letter of January 9, 1985.

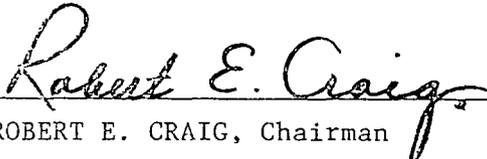
Ground rules agreed by the parties at the start of negotiations did specify under Ground Rule #5 that public announcement would not be made by either party unless mutually agreed to or impasse declared.

Newspaper articles from the Valley News were dated January 23, 1986, fourteen days after declaration of impasse by the Association.

DECISION AND ORDER

After reviewing testimony and evidence PELRB rules that after impasse has been declared, the parties are free to speak out and what was said in this case was accurate and reasonable.

PELRB finds no unfair labor practice was committed by the Board or its chairperson and hereby dismisses the charge.


ROBERT E. CRAIG, Chairman

Signed this 10th day of July, 1986.

By unanimous vote. Chairman Robert E. Craig presiding. Members Seymour Osman and James C. Anderson present and voting. Also present, Executive Director Evelyn C. LeBrun